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The Director of Central Intelligence
Washington, D.C. 20505

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National Intelligence Council

NIC No. 04914-85
3 October 1985

MEMORANDUM FOR: Director of Central Intelligence
Deputy Director of Central Intelligence

FROM: George Kolt
National Intelligence Officer for Europe

SUBJECT: Review of MLM Situation for Discussion with SECDEF

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I would evaluate the
current state of play as follows:

- The Soviets, smarting from the PRAs we imposed upon them in retaliation for their new PRA map in the spring 1985, want a mutual reduction in PRAs. The PRA issue, however, has now become entangled in the post-Nicholson "rules-of-behavior" military-to-military talks.
- The current informal understanding in these talks is that the two sides will first come to an agreement on "rules-of-behavior" and this agreement will include the intent to reduce PRAs. The Soviets would then give the Allies a proposed new PRA map which would reduce PRAs from 40 percent of GDR territory to about 25 to 30 percent. The Allies would have two months to produce their new PRA maps and if the proposed Allied map were acceptable to the Soviets, the Allied and Soviet PRA maps then would go into effect simultaneously. The sequencing, of course, means that we will only know exactly what kind of PRA reductions the Soviets have in mind after we have reached agreement with them on a rules of behavior document.
- If agreement can be reached on "rules-of-behavior" document it will be a compromise package and will not be a blanket security guarantee for the MLMs, -- an ideal which it has always been unrealistic to expect.

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- The French and UK solidarity with us in the wake of the Nicholson murder has impressed the Soviets and probably made them more anxious to conclude the US-Soviet military talks and move on to PRA reductions. But the French and the British remain leary of the US-Soviet "rules-of-behavior" negotiations and have no intentions of either endorsing any subsequent document or negotiating one of their own. They feel that the original bilateral agreements setting up the Missions (the Huebner-Malinin agreement in our case) remain adequate. The French and the British moreover are irritated whenever public attention is drawn to the Missions through official statements or leaks.
- As long as the military-to-military talks go on, the US Mission will most likely continue to operate in a restricted mode. Yet as the 9 September incident shows even restricted operations will produce incidents.

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2. My overall impression is that, although all four countries involved want the Missions to continue to exist and want the PRAs to be reduced, the military-to-military talks will not produce a document that ensures the safety of all MLM members under all circumstances.

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[REDACTED] What is truly important for us is not the "rules-of-behavior" document that will be produced but the real instructions that the Soviets give to their troops, the way Soviet troops in the field actually behave and the way we react to grievous violations of the norms.

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3. There will always be incidents and detentions. We will have to judge in each case whether the incident fits the bounds of acceptability and, if it does not, how much it exceeds those bounds and what we should then do about it. On the one hand we will not want to escalate fairly routine incidents above the level at which they can and should be handled. On the other hand we will want to guard against letting the Soviets gradually escalate the use of force as they did between the late 70s and 1984 (periodic ramblings, roughing up of Mission personnel etc.) Should Soviet behavior, then, go beyond the bounds of the acceptable, we will have to retaliate against the Soviet Mission -- not necessarily in a tit-for-tat way -- but rather in a way that brings home to the Soviets that their Mission will have to pay for any unwarranted harassment of US personnel.

4. That, however, is for the longer term. What should we do now? In my view we should end the military-to-military talks on "rules-of-behavior" in a mutually acceptable way as soon as possible and thereby

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open the way for reducing the PRAs. Since the day-to-day control of the military-to-military talks rest with USAREUR, I don't know the exact state-of-play today. But, because I share the low regard the French and British hold for these talks, I would not be disturbed if the talks ended by a low-level exchange of oral declarations of good intent. It will be important, however, to end the talks in a mutually acceptable fashion so that we do not make the position of the MLMs worse. Further, I think the pre-Summit period provides us a good opportunity to end the talks in a way acceptable to us: This is when the new GSFG CINC is apt to be under the greatest pressure to finish the nasty business left him by his predecessor.


George Kolt

Attachment:

DCI Memo to Sec.Defense,
Dtd. 9 Sept. 85

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Washington, D.C. 20505

Executive Registry

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09 SEP 1985

MEMORANDUM FOR: The Honorable Caspar Weinberger
Secretary of Defense

SUBJECT: Berlin Issues

1. There are two issues which I did not have time to raise with you at our breakfast this morning and on which I would like to give you my thoughts:

- The possibility of using the upcoming Summit and probable resumption of direct air links between the US and USSR to settle the Berlin Air Corridor problem to our satisfaction.
- The MLM negotiations.

2. Regarding the Berlin Air Corridor problem, we have made progress in the Berlin Air Safety Center (BASC) negotiations, but not enough to achieve the desirable degree of safety for flights through the corridors. Unfortunately the UK and possibly even France will probably judge that the current situation no longer requires demonstration flights to make our points. The prospect, therefore, is for prolonged palavers in the BASC with little prospect of progress. My idea is to create a link between the air corridor issue and any resumption of direct air routes between the United States and the Soviet Union. The link would not be direct. Rather we would tell the Soviets that we cannot in good conscience reestablish air routes between our two countries while the Soviets are still endangering western flights in the Berlin air corridors. We know that Aeroflot and more importantly the KGB would like to reestablish service to the US and once again open offices here. Our making the linkage described above might thus move the Soviets to direct their military to give us the few additional miles we require in the Berlin Air Corridors (for a resume on where we stand in the BASC discussions I attach a memorandum from my NIO for Europe).

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3. On the MLMs I have read with great interest your memorandum of 26 August 1985 to Bud MacFarlane. I am glad there is some prospect the Soviets may scale back the PRAs and provide better instructions to their troops on the non-use of force toward the Missions. We shall, of course, have to wait and see if the Soviets really deliver and if we can get them to drop the three unacceptable demands they are making on penetration of training areas, scrupulous obedience of all orders by their sentries, and Mission restriction signs. Soviet behavior in the 13 July incident and apparent desire to come to some sort of an agreement in the military-to-military talks give grounds for guarded optimism on our part. Should this optimism be borne out, we could achieve an improvement

[REDACTED] in the safety of our men [REDACTED] Thus, I want to suggest to you that we start thinking now about how to handle the Soviet refusal to provide an apology and compensation. In my estimation they are highly unlikely to budge on this and it would be very unfortunate if we were [REDACTED]

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to pursue what is most likely unachievable. I think it is possible however that we might be able to move the Soviets to say in public what General Zaytsev said privately to General Otis, namely express regret over this tragic affair. Of course, when we went public with Zaytsev's private expression of regret, the Soviets reacted violently and accused us of having caused Nicholson's death. In the current circumstances the Soviets may behave differently. First their expression of regret would come at a time when the two sides would be revalidating the Huebner-Malinin agreement. Second, it would occur before or maybe even at the Summit--a period when the Soviets are prone to make moves of this sort. Again, all this is predicated on the Soviets giving us something tangible to improve the safety and capability of the Allied Missions.

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4. We should discuss these two issues at one of our future meetings.

/s/ William J. Casey

William J. Casey

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